

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEXANDER SMIRNOV,

Defendant.

No. 2:24-CR-00091-ODW

ORDER CONTINUING TRIAL DATE AND
FINDINGS REGARDING EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT

TRIAL DATE: 12/03/2024

The Court has read and considered the Stipulation Regarding Request for (1) Continuance of Trial Date and (2) Findings of Excludable Time Periods Pursuant to Speedy Trial Act, filed by the parties in this matter on April 12, 2024. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that support a continuance of the trial date in this matter, and provides good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

1 The Court further finds that: (i) the ends of justice served by
2 the continuance outweigh the best interest of the public and
3 defendant in a speedy trial; (ii) failure to grant the continuance
4 would be likely to make a continuation of the proceeding impossible,
5 or result in a miscarriage of justice; and (iii) failure to grant the
6 continuance would unreasonably deny defendant continuity of counsel
7 and would deny defense counsel the reasonable time necessary for
8 effective preparation, taking into account the exercise of due
9 diligence. Additionally, and for the reasons stated in the
10 Stipulation, the Court finds that certain periods of time should be
11 excluded under 18 U.S.C. § 3161(h) (1), pertaining to the transfer of
12 this case and the transport of the Defendant to this District.

13 THEREFORE, FOR GOOD CAUSE SHOWN:

14 1. The trial in this matter is continued from April 23, 2024
15 to December 3, 2024 at 9:00 a.m. The Court will set a pretrial
16 conference if necessary.

17 2. The time period of April 12, 2024 to December 3, 2024,
18 inclusive, is excluded in computing the time within which the trial
19 must commence, pursuant to 18 U.S.C. §§ 3161(h) (7) (A), (h) (7) (B) (i),
20 and (B) (iv). Furthermore, the time period February 15, 2024 to
21 February 26, 2024, inclusive, is excluded pursuant to 18 U.S.C.
22 §§ 3161(h) (E) & (F). Lastly, the time period March 15, 2024 to March
23 19, 2024, inclusive, is be excluded pursuant to 18 U.S.C.
24 § 3161(h) (1) (D).

25 3. Nothing in this Order shall preclude a finding that other
26 provisions of the Speedy Trial Act dictate that additional time
27 periods are excluded from the period within which trial must
28 commence. Moreover, the same provisions and/or other provisions of

1 the Speedy Trial Act may in the future authorize the exclusion of
2 additional time periods from the period within which trial must
3 commence.

4 IT IS SO ORDERED.

5
6 April 12, 2024
7 DATE


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HONORABLE OTIS D. WRIGHT II
UNITED STATES DISTRICT JUDGE